

### **REMARKS**

The Office Action dated June 24, 2004 has been received and carefully noted. The above amendments to the claims and the following remarks, are submitted as a full and complete response thereto.

Claim 45 has been amended to more particularly point out and distinctly claim the subject matter of the invention. Claim 46 has been cancelled without prejudice. No new matter has been added. Thus, claims 24-45 are currently pending and are respectfully submitted for consideration.

In the Office Action, claims 24-34, 36-41, and 43-46 were rejected under 35 U.S.C. §102(b) as being anticipated by Tognazzini (EP 0810803 A2). This rejection is respectfully traversed for the reasons which follow.

Claim 24, upon which claims 25-44 are dependent, recites a telecommunications system comprising a telecommunication network, a first station and a plurality of second stations. The first station is configured to request a connection with at least one of the plurality of second stations. The connection request comprises a location criteria to be satisfied by at least one second station. The telecommunication network is provided with at least one store for storing location information for at least some of the second stations and selection means for selecting at least one of the second stations for connection in dependence on the location information stored in the store.

Claim 45 recites a method for use in a telecommunications system comprising a telecommunication network, a first station and a plurality of second stations. The method

includes the steps of defining at the first station a location criteria to be satisfied by at least one second station, and requesting a connection with at least one second station satisfying said criteria. The method also includes determining at the telecommunication network which of the second stations satisfy the criteria, selecting at the telecommunications network at least one of the second stations satisfying the criteria in dependence on stored location information, and establishing a connection between the first station and the at least one second station satisfying the location criteria.

As will be discussed below, Tognazzini fails to disclose or suggest the elements of the claims, and therefore fails to provide the features discussed above.

Tognazzini discloses an apparatus and method for establishing communications between a calling station and one or more called stations based on information stored in a database. A receiver receives a communication request including a query specifying at least one criterion. A comparator compares information stored in the database with the criterion, and a transmitter responds to the communications request when the information in the database satisfies the criterion.

Applicants respectfully submit that Tognazzini fails to disclose or suggest selection means for selecting at least one of the second stations for connection in dependence on the location information stored in the store, as recited in claim 24.

According to Tognazzini, a first station 900 sends a connection request or query 915 to the central office 905. This query is then broadcast to other recipients in message 920.

The individual recipient then checks its own database to see if it satisfies the query. If so,

then it responds and a communication channel is set up between it and the first station. If more than one recipient satisfies the query, the first station is connected with more than one recipient (Tognazzini, Figure 9). Consequently, there is no means disclosed in Tognazzini by which at least one of the second or recipient stations is selected based on stored information.

In Tognazzini, the recipient stations are connected based on information stored in their database, however there is no mechanism by which the recipient stations can be selected. As a result, in Tognazzini, all of the recipients which satisfy the criteria are automatically connected. The claimed invention, on the other hand, includes the limitation of selecting at least one of the second stations. For example, a communication may occur where the user of the first station will only want to be connected to a single second station, or a specific number of second stations. The claimed invention allows for this functionality via the selection means. Such an element is not disclosed by Tognazzini. For at least these reasons, Tognazzini fails to disclose or suggest all of the elements of claim 24.

Claims 25-44 are dependent upon claim 24. Thus, claims 25-44 should be allowed for at least their dependence upon claim 24, and for the specific limitations recited therein.

With respect to the rejection of independent claim 45, Applicants respectfully submit that Tognazzini fails to disclose or suggest selecting at the telecommunications network at least one of the second stations satisfying the criteria in dependence on stored

location information, as recited in this claim. As discussed above, Tognazzini fails to disclose the limitation of selecting at least one of the second stations. Therefore, Applicants respectfully submit that Tognazzini fails to disclose or suggest all of the elements of claim 45.

Claim 35 was rejected under 35 U.S.C. §103(a) as being unpatentable over Tognazzini in view of Nojima (U.S. Patent No. 5,933,080). The Office Action took the position that Tognazzini discloses all of the elements of claim 35, with the exception of determining means arranged to define an order in which connections to second stations satisfying the location criteria are to be attempted. The Office Action then relies on Nojima to cure this deficiency in Tognazzini. The above rejection is respectfully traversed for the following reasons.

Tognazzini is discussed above. Nojima discloses an emergency calling system. When it is necessary to make an emergency call about a vehicle station, a Mayday center performs an emergency call to a plurality of emergency contacts in an order of priority according to the vehicle station's present location. The order of priority of the emergency contact addresses is determined according to vehicle station location.

Applicants note that claim 35 is dependent upon claim 24. Additionally, Nojima fails to cure the deficiencies in Tognazzini discussed above with respect to claim 24. Therefore, Applicants respectfully submit that claim 35 should be allowed for at least its dependence upon claim 24, and for the specific limitations recited therein.

Claim 42 was rejected under 35 U.S.C. §103(a) as being unpatentable over Tognazzini in view of Tayloe (U.S. Patent No. 5,809,418). The Office Action took the position that Tognazzini discloses all of the elements of claim 42, with the exception of making the call at a subsequent time when the second station satisfies the location criteria. The Office Action then relies upon Tayloe to cure this deficiency in Tognazzini. This rejection is respectfully traversed for the following reasons.

Tognazzini is discussed above. Tayloe discloses a position dependent call connection method and apparatus in a radio communication system. Tayloe further discloses calculating opportunity times when there is a high likelihood of establishing a link between a target communication unit and a satellite. These opportunities are calculated by predicting the satellite's future positions with respect to an optimal call initiation area. The opportunity times are sent to the source communication unit so that the user knows when to attempt another call.

Applicants note that claim 42 is dependent upon claim 24. Additionally, Tayloe fails to cure the deficiencies in Tognazzini discussed above with respect to claim 24. Therefore, Applicants respectfully submit that claim 42 should be allowed for at least its dependence upon claim 24, and for the specific limitations recited therein.

Applicants respectfully submit that Tognazzini, Nojima, and Tayloe, whether considered alone or in combination, fail to disclose or suggest critical and important elements of the claimed invention. These distinctions are more than sufficient to render

the claimed invention unanticipated and unobvious. It is therefore respectfully requested that all of claims 24-45 be allowed, and this application passed to issue.

If for any reason the Examiner determines that the application is not now in condition for allowance, it is respectfully requested that the Examiner contact, by telephone, the applicant's undersigned attorney at the indicated telephone number to arrange for an interview to expedite the disposition of this application.

In the event this paper is not being timely filed, the applicant respectfully petitions for an appropriate extension of time. Any fees for such an extension together with any additional fees may be charged to Counsel's Deposit Account 50-2222.

Respectfully submitted,



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